

3671

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Andreas Drost et al.	
Serial No.: 10/633,663	Group Art Unit: 3671
Filed: August 5, 2003	Examiner: Gary S. Hartmann
Title: Ground Covering Elements of Artificial Stone Material	
Attorney Docket No.: 411.0005	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SECOND INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- ☒ under 37 CFR 1.97(c) together with either a:
 - ☐ Certification under 37 CFR 1.97(e), or
 - ☒ a \$180.00 fee under 37 CFR 1.17(p), or
(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with a:
 - ☐ Certification under 37 CFR 1.97(e), and
 - ☐ a petition under 37 CFR 1.97(d)(2)(ii), and
 - ☐ a \$130.00 petition fee set forth in 37 CFR 1.17(i)(1).
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

Applicants submit herewith Form PTO 1449-Information Disclosure Citation with copies, of non-US patents and published applications, publications or other information of which Applicants have become recently aware of, which Applicants believe may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56. Also attached is a copy of the International Search Report for a corresponding PCT application.

Neither this statement nor the listing of these documents on the accompanying form PTO-1449 should be considered as an admission by Applicants that these materials are prior art as to Applicants. In addition, this statement should not be construed as a representation that no better disclosures exist.

Items AA and BB were cited in a corresponding PCT application, which led to Item K, and were listed on its International Search Report (a copy of which is attached). Items CC-HH were cited by the Examiner, but not applied, against Item K. Item II is the published PCT application of Item HH.

Entry of the Information Disclosure Statement and the accompanying Form PTO-1449 are respectfully solicited.

Respectfully submitted,



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Date: August 23, 2004



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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/633,663
				Filing Date	August 5, 2003
				First Named Inventor	Andreas Drost
				Art Unit	3671
				Examiner Name	Gary S. Hartmann
Sheet	1	of	1	Attorney Docket Number	411.0005

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	A	US-195,286	09-18-1877	INGALLS, Samuel S.	
	B	US-1,058,674	04-08-1913	KERTES, John	
	C	US-1,884,216	10-25-1932	PURDY, John F.	
	D	US-2,060,746	11-10-1936	PORTER, Sidney C.	
	E	US-5,224,792	07-06-1993	HAGENAH, Gerhard	
	F	US-5,409,325	04-25-1995	WU, Ming-Hsin	
	G	US-5,466,089	11-14-1995	JURIK, Dean	
	H	US-5,503,498	04-02-1996	SCHEIWILLER, René	
	I	US-5,797,698	08-25-1998	BARTH, Gunter et al.	
	J	US-5,902,069	05-11-1999	BARTH, Gunter et al.	
	K	US-2003/0121229 A1	07-03-2003	SCHMITZ, Michael	
		US-			
		US-			
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		US-			
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		US-			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
	AA	DE 295 10 837 U1	10-26-1995	E. Schwenk Zementwerke KG		
	BB	EP 1 024 226 A1	12-29-1998	Fiege & Bertoli GmbH & Co. KG		
	CC	DE 197 33 741 A1	05-28-1998	LAHRES, Werner		
	DD	EP 0 930 399 A2	01-13-1999	SCHEIWILLER, Rolf		
	EE	WO 00/14335 A1	03-16-2000	DEGIRMENCI, Ahmet		
	FF	WO 01/59217 A1	08-16-2001	SF-Kooperation GmbH Beton-Konzepte		
	GG	DE 100 13 613 A1	10-11-2001	ROTH, Reiner		
	HH	EP 1 162 313 A1	12-12-2001	Kahn GmbH Baustoffwerke		
	II	WO 01/94703 A1	12-13-2001	Kahn GmbH Baustoffwerke		

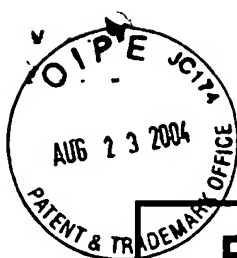
Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PTO/SB/17 (10-03)
Approved for use through 07/31/2006. OMB 0851-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$180.00)

Complete if Known

Application Number 10/633,663

Filing Date 8/5/2003

First Named Inventor Drost et al.

Examiner Name Gary S. Hartmann

Art Unit 3671

Attorney Docket No. 411.0005

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account

Deposit
Account
Number
Deposit
Account
Name

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☐ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below	Fee Paid
Independent	Claims	-20**=	X		
		-3**=	X		
Multiple Dependent					

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$180.00)

SUBMITTED BY

Name (Print/Type)

George A. Metzenthin

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(Attorney/Agent)

41,995

Complete (if applicable)

Telephone

202-331-8777

Signature

George A. Metzenthin

Date

8/23/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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